

**TOWN BOARD  
REGULAR MEETING  
MINUTES**

July 18, 2019  
6:30 PM  
TOWN HALL  
513 ASPEN ST.  
HOT SULPHUR SPRINGS, CO  
www.HotSulphurSpringsCO.com

5:00 PM Hinton Burdick 2018 Financial Audit

6:30 PM CALL TO ORDER-ROLL CALL

Mayor Robert McVay, Mayor Pro-Tem Christine Lee, Trustee Dan Nolan, Trustee Ray Tinkum, Trustee Tim Harvey, Trustee Kevin Jones, open seat

1. OATH OF OFFICE NEW BOARD MEMBER CHANCE HARMS

2. Consent Agenda

Agenda July 18, 2019 and minutes from June 20, 2019

- i. *Trustee Chris Lee motioned and Trustee Ray Tinkum seconded to accept the agenda for July 18<sup>th</sup> and the minutes from the June 20<sup>th</sup> meeting. All voted aye. Motion passed.*

3. COMCAST FRANCHISE AGREEMENT READING- ANDY DAVIS, DIRECTOR GOVERNMENT AFFAIRS (*Board of Trustees to introduce and read the ordinance for the first time, second reading August 15, 2019*)

c. Comcast Franchise Agreement ORDINANCE NO. 7-18-2019-405 AN ORDINANCE OF THE HOT SULPHUR SPRINGS, COLORADO, GRANTING A NON-EXCLUSIVE CABLE FRANCHISE TO COMCAST OF COLORADO IX, LLC

4. PUBLIC COMMENT

A.-Nettie Baughar is proposing the idea of a marathon over Cottonwood Pass.

B.-Brad Segal asked about the town pursuing open lands, and possible purchase of those lands.

C.-Lyle Seidner from Colorado Parks and Wildlife gave an update on the Middlefork situation.

5. STAFF

Computer needs to be purchased for Caselle upgrade, No FS10 due to Caselle issues, Board of Trustees Guidelines most likely needs to be set up, update on CDPHE SEP approval & SRF Loan Application, Andy Hugley hired for mid-week winter snowplowing & summer road maintenance, Lucas to put ad in newspaper for Operator position, Demo of sewer trailer on July 29.

6. DISCUSSION ITEMS:

a. O Ellis PTO Payout request- Oakley's last day to be July 26, 2019.

b. ToHSS Planning & Zoning open seat letters of interest, upcoming P&Z meeting. TJ Dlubac, Community Planning Strategies update

c. Nuisance Violation- 141 E Grand Avenue Municipal court schedule for August 14 11:30am

Property owner has made arrangements to clean up oil and will be purchasing a new truck, tabled until August meeting

- i. *Trustee Tim Harvey moved and Trustee Ray Tinkum seconded to allow 30 more days for Nuisance Violation to be completed. Trustee Kevin Jones and Trustee Chris Lee opposed. Mayor McVay, Trustee Tim Harvey, Trustee Chance Harms, Trustee Dan Nolan and Trustee Ray Tinkum voted aye. Motion passed.*

d. RUIZ RESPONSE TO NUISANCE VIOLATION: Fence at Legal Description: Lots 1 & 2, Block 13, Hot Sulphur Springs; Generally located south of and adjacent to Grand Ave and west of and adjacent to 1<sup>st</sup> Street

e. Nuisance Complaint- 108 Grand Cease & Desist Served by GCSO July 16-A complaint was received that someone was living in a school bus on this property. A nuisance violation was served along with a Cease and Desist letter from the town by the Grand County Sheriff's Department. The bus was removed.

f. Cowardin Fence- invoice not yet received August BoT meeting

g. Noxious Weed Spraying & RPF- Bid awarded to Weed Wizard. Trustee Kevin Jones requested Kris Manguso's contact information.

h. Grand Avenue Chip & Seal bid

- i. TOHSS Working Capital Revenue spreadsheet & action items
- j. GCSO Call log for Pioneer Park
- k. Thad Scholl request for Pickleball lines to be added to the Town's tennis courts- Hot Sulphur resident Thad Scholl sent a written request to the Town on behalf of local Pickleball enthusiasts asking the Town to consider allowing Pickleball lines to be added to the Town's tennis courts. The lining would be done by a professional and be free to the town. After discussion, the Board agreed to allow it to be done on one of the tennis courts. Staff to contact Thad Scholl.
- l. The River Festival July 20-FYI
- m. Northern water Tour August 29-FYI
- n. KD to attend CIRSA ADA Compliance classes- Salida July 24 & 25-FYI
- o. HSS TOWN WIDE Garage Sale Saturday August 10-FYI
- p. Memorial bench for Caleb Killion- hole 14 of frisbee golf course, to be installed August? This will now be installed in the Spring of 2020. Trustee Tim Harvey will provide specs.
- q. Open Lands River Trust Grant Application-application due September 25, 2019 Trustee Dan Nolan to look into Himebaughs Open Space, Staff to look into possibility of \$50,000 towards riverbank and Mitchell property

7. OPEN ACTION ITEMS:

- a. Phase 2 Tree Planting at Town Park-Dan and Kevin, BOCC CTF Grant Application (attached in Dropbox)
- b. Dick Johnson tree seedling project-Kevin Jones-Deferred to next spring.

8. ACTION ITEMS:

- a. Accounts payable in the amount of \$45,429.45
  - i. *Trustee Dan Nolan motioned and Trustee Ray Tinkum seconded, to accept Accounts Payable in the amount of \$45,429.45. Trustee Kevin Jones abstained. All others voted aye. Motion passed.*
- b. Payroll in the amount of \$16,944.54
  - i. *Trustee Dan Nolan motioned and Trustee Chris Lee seconded to accept payroll in the amount of \$16,944.54. All voted aye. Motion passed.*
- c. COMCAST Franchise Agreement Ordinance Reading
  - i. *Trustee Dan Nolan motioned and Trustee Chris Lee seconded to accept the Comcast Franchise Agreement ORDINANCE NO. 7-18-2019-405 AN ORDINANCE OF THE HOT SULPHUR SPRINGS, COLORADO, GRANTING A NON-EXCLUSIVE CABLE FRANCHISE TO COMCAST OF COLORADO IX, LLC. All voted aye. Motion passed.*
- d. ToHSS Planning & Zoning open seat
  - i. *Trustee Ray Tinkum motioned and Trustee Chris Lee seconded to keep Planning & Zoning Commission Board at 5 members. All voted aye. Motion passed.*
  - ii. *Trustee Tim Harvey motioned and Trustee Dan Nolan seconded to assign Alexander Taft to open Town of Hot Sulphur Springs Planning & Zoning Commission seat. All voted aye. Motion passed.*
  - iii. *Trustee Kevin Jones motioned and Trustee Ray Tinkum seconded to assign Nettie Baughar to fill Yvonne Knox's Town of Hot Sulphur Springs Planning & Zoning Commission seat. Trustees voted 3 for and 4 oppose. Motion passed. Ms. Baughar will be offered open seat for Town of Hot Sulphur Springs Board of Adjustments.*
  - iv. *Trustee Dan Nolan motioned and Trustee Chance Harms seconded to assign Meredith Howe to fill Yvonne Knox's Town of Hot Sulphur Springs Planning & Zoning Commission seat. Trustees voted 4 for and 3 oppose. Motion passed.*
- e. O Ellis PTO payout request
  - i. *Trustee Tim Harvey motioned and Trustee Ray Tinkum seconded to approve O Ellis PTO payout of \$2,197.64. All voted aye. Motion passed.*
- f. COLO TRUST: Transfer \$48,047.97 from General checking to Water Enterprise Fund
  - i. *Trustee Chris Lee motioned and Trustee Ray Tinkum seconded to transfer \$48,047.97 from General checking to COLO TRUST to the Water Enterprise Fund. All voted aye. Motion passed.*
- g. COLO TRUST: Transfer \$11,346.07 from General checking to Sewer Enterprise Fund
  - i. *Trustee Chris Lee motioned and Trustee Ray Tinkum seconded to transfer \$11,346.07 from general checking to COLO TRUST to the Sewer Enterprise Fund. All voted aye. Motion passed.*

- h. COLO TRUST: Transfer \$265,605.96 from General checking to General Trust Fund
  - i. *Trustee Chris Lee motioned and Trustee Ray Tinkum seconded to transfer \$265,605.96 from general checking to COLO TRUST general checking. All voted aye. Motion passed.*
- i. COLO TRUST: Transfer \$22k (Certificate of Deposit maturity \$22,827.70) from General checking to Sewer Enterprise Fund
  - i. *Trustee Kevin Lee motioned and Trustee Ray Tinkum seconded to deposit the entire Certificate of Deposit Cashier's Check, approximately, \$22,827.70 (maturity date is tomorrow) from general checking to the COLO TRUST Sewer Enterprise Fund. All voted aye. Motion passed.*
- j. ALLOCATE \$150,000 from General Unallocated Funds to River Bank Project
  - i. *Trustee Ray Tinkum moved and Trustee Chris Lee seconded to allocate \$150,000 from the General Unallocated Funds to the River Bank Project. All voted aye. Motion passed.*
- k. Municipal Court Summons for 141 E Grand Avenue-Tabled August
  - i. *Trustee Tim Harvey motioned and Trustee Ray Tinkum seconded to table moving forward on this violation until the August Board meeting (8/15). Trustees Kevin Jones and Chris Lee opposed. All others voted aye. Motion passed.*
- l. Nuisance Violation- Fence at Legal Description: Lots 1 & 2, Block 13, Hot Sulphur Springs; Generally located south of and adjacent to Grand Ave and west of and adjacent to 1<sup>st</sup> Street-Tabled August
- m. New computer purchase for the office.
  - i. *Trustee Ray Tinkum moved and Trustee Chris Lee seconded to purchase a new computer not to exceed \$3,000. All voted aye. Motion passed.*
- n. Chip and Seal Project
  - i. *Trustee Ray Tinkum moved and Trustee Chance Harms seconded to have Lucas proceed with the Chip and Seal project on Grand Avenue and up Park Avenue to Highway 40. All voted aye. Motion passed.*
- o. Working Capital Spreadsheet
  - i. *Trustee Tim Harvey moved and Trustee Dan Nolan seconded that we convert the Town of Hot Sulphur Springs trust and savings earmarked Capital Fund working Capital spreadsheet to an action item to be maintained by town staff. All voted aye. Motion passed.*

9. EXECUTIVE SESSION: C.R.S. SECTION 24-6-404(4)(f) FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER  
There was no reason to go into an Executive Session.

10. OTHER BUSINESS

Bob McVay-

Dan Nolan- Encouraged everyone to go and see the mural down at the Town Park. Got a comment from a citizen Stating he/she didn't realize the office of mayor was a volunteer position. (got information from our quarterly Newsletter)

Christine Lee-None

Ray Tinkum-None

Tim Harvey-Charlotte and Kent added scoreboards to the horseshoe pits

Kevin Jones-None

Chance Harms-None

11. ADJOURNMENT

- i. *Trustee Tim Harvey motioned and Trustee Ray Tinkum seconded to adjourn meeting at 8:54 PM. All voted aye. Motion passed.*

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Mayor Robert McVay

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Jessie Webb, Town Clerk